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TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)
BRONNE00104

In re Application of: Joel D. COOPER et al.

Application No. 10/833,802

Filed: August 4, 2003

For: METHODS OF TREATING CHRONIC OBSTRUCTIVE PULMONARY DISEASE

The owner, Broncus Technologies, Inc., of 100, percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 7,022,088 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. The undersigned is an attorney or agent of record. Reg. No. 42,280

Signature

October 25, 2007
DateSanjay S. Bagade
Typed or printed name(650) 242-4212
Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

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